

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

<b>MARCEL MALACHOWSKI,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. CIV-20-445-G</b>
	)	
<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Respondent.</b>	)	

**ORDER**

This matter is before the Court for review of the Report and Recommendation issued by United States Magistrate Judge Shon T. Erwin on May 15, 2020. Judge Erwin recommends that Petitioner's application for leave to proceed *in forma pauperis* be denied because Petitioner has sufficient funds to pay the \$5.00 filing fee. Within the time period for a written objection, Petitioner has paid the required \$5.00 fee. Accordingly, the Court finds that Petitioner's application to proceed *in forma pauperis* is moot.

IT IS THEREFORE ORDERED that the Report and Recommendation (Doc. No. 6) is ADOPTED, and Petitioner's application (Doc. No. 2) is DENIED.

IT IS FURTHER ORDERED that this matter is re-referred to Judge Erwin for further proceedings consistent with the initial case referral.

IT IS SO ORDERED this 14th day of July, 2020.

  
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CHARLES B. GOODWIN  
United States District Judge